Government of Saskatchewan

Annual Report 2004-2005

Saskatchewan Labour Relations Board

Letters of Transmittal

The Honourable Dr. Lynda M. Haverstock
Lieutenant Governor
Province of Saskatchewan

May it Please Your Honour:

I respectfully submit the Annual Report of the Saskatchewan Labour Relations Board for the fiscal year ending March 31, 2005.

Deb Higgins

Deb Higgins
Minister of Labour

The Honourable Deb Higgins
Minister of Labour

Dear Madam:

It is my pleasure to provide you with the Annual Report of the Saskatchewan Labour Relations Board. It covers the period commencing April 1, 2004 and ending March 31, 2005.

James Seibel
Chairperson
Labour Relations Board

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I. Labour Relations Board

The Labour Relations Board came into existence in 1944 with passage of *The Trade Union Act*, S.S. 1944 (2nd Sess.) c. 69. Although the *Act* has often been amended, most recently in 2005, the basic concept of the Board has not changed. The Board is an independent, quasi-judicial tribunal charged with the responsibility of adjudicating disputes that arise under *The Trade Union Act*. It does this principally through public hearings and written decisions.

The Board's decisions are final and binding upon the parties. There is no appeal, and review by the courts is strictly limited.

The *Act* presently provides for a board composed of a chairperson and two vice-chairpersons and an unspecified number of members. All members of the Board, including the chairperson and vice-chairpersons, are appointed by the Lieutenant Governor in Council. The chairperson and vice-chairpersons are full-time members of the Board. The remaining members are appointed and paid on a per diem basis when their services are required.

The Board is a representational Board. This means that all members of the Board, with the exception of the chairperson and vice-chairpersons, are representatives of employees or employers. The chairperson and vice-chairpersons are neutral and are lawyers. The Board reports to the Minister of Labour for the Province of Saskatchewan. The Minister is obligated by *The Trade Union Act* to provide the Board with the requisite staff and facilities. The Board operates independently from the government, its departments and agencies. The chairperson, vice-chairpersons and all members of the Board are required by the *Act* to take an oath of impartiality in the performance of their office.

The Board's offices and staff are located at 1600 - 1920 Broad Street, Regina. The Board also maintains a hearing room in Saskatoon. The staff of the Board is composed of the Board Registrar/Legal Counsel, Investigating Officer, Executive Assistant to the Chairperson and three clerical positions. The chairperson or one of the vice-chairpersons is appointed to act as Executive Officer of the Board. An Organizational Chart of the Labour Relations Board is contained in Table 1.

The composition of the Board for 2004-2005 was:

James Seibel - Chairperson

James Seibel was appointed Vice-Chairperson and Executive Officer of the Board in November, 1997 and was appointed Chairperson and Executive Officer of the Board in October, 2003. Mr. Seibel obtained his Bachelor of Science degree from the University of Regina and his law degree from the University of Saskatchewan. He was in the private practice of law in Saskatoon from 1981 to 1997, with an emphasis on labour law and arbitration.

Wally Matkowski - Vice-Chairperson

Wally Matkowski was appointed Vice-Chairperson of the Board in March, 2001. Mr. Matkowski obtained his Bachelor of Arts degree and his law degree from the University of Saskatchewan. He was in the private practice of law in Regina and Saskatoon from 1986 to 2001, with a large amount of his time spent as both a labour arbitrator and a mediator.

Angela Zborosky - Vice-Chairperson

Angela Zborosky was appointed Vice-Chairperson of the Board in July, 2004. Ms. Zborosky obtained her Bachelor of Business Administration degree from the University of Regina and her law degree from the University of Saskatchewan. Ms. Zborosky was in the private practice of law in Regina from 1991 to 2004, primarily in the areas of labour and employment law.

Bruce McDonald

Bruce McDonald was appointed to the Board in 1974 as a member representing employees. Mr. McDonald is a retired business agent for the International Brotherhood of Painters and Allied Trades, Local Union 1996. He is a past president of the Canadian Federation of Labour (Sask.).

Gloria Cymbalisty

Gloria Cymbalisty was appointed to the Board in March of 1992 as a member representing employees. She is self-employed as an industrial relations consultant. She was formerly a representative for the Saskatchewan Joint Board, Retail, Wholesale and Department Store Union.

Gerry Caudle

Gerry Caudle was appointed to the Board in March of 1994 as a member representing employees. Mr. Caudle had previously served in the same capacity during the 1980s. He is a retired representative with the Canadian Union of Public Employees.

Donald Bell

Don Bell was appointed to the Board in July of 1995 as a member representing employers. Mr. Bell is President of Insulation Applicators Ltd. Mr. Bell retired as a member of the Board on July 14, 2004.

Brenda Cuthbert

Brenda Cuthbert was appointed to the Board in July of 1995 as a member representing employers. Ms. Cuthbert is the Director of Human Resources for Kindersley Transport Ltd.

Donna Ottenson

Donna Ottenson was appointed to the Board in July of 1995 as a member representing employees. Ms. Ottenson is a Registered Nurse in long-term care in Regina and an active member of the Saskatchewan Union of Nurses.

Hugh Wagner

Hugh Wagner was appointed to the Board in July of 1995 as a member representing employees. Mr. Wagner is the General Secretary for the Grain Services Union.

Mike Carr

Mike Carr was appointed to the Board in July of 1998 as a member representing employers. Mr. Carr is Vice-President, Director of Personnel for IPSCO Saskatchewan Inc.

Leo Lancaster

Leo Lancaster was appointed to the Board in July of 1998 as a member representing employers. Mr. Lancaster is a retired labour relations consultant with Saskatchewan Association of Health Organizations.

Patricia Gallagher

Patricia Gallagher was appointed to the Board in January of 2000 as a member representing employees. Ms. Gallagher was the Executive Director of Operations with the Saskatchewan Government and General Employees Union until her retirement in 2002. She had been employed at SGEU since 1982 in several capacities. She was also employed by the Saskatchewan Federation of Labour as Executive Assistant from 1976 to 1982.

Duane Siemens

Duane Siemens was appointed to the Board in 2001 as a member representing employees. Mr. Siemens is currently employed as a millwright with Sterling Pulp Chemicals in Saskatoon. Mr. Siemens was formerly the president of CEP Local 609, Secretary and Vice-President of the Saskatchewan Federation of Labour, and past President of the Saskatoon & District Labour Council.

Clare Gitzel

Clare Gitzel was appointed to the Board in July of 2001 as a member representing employers. Mr. Gitzel was formerly employed with a major mining company as Manager of Human Resources and Northern Affairs. He presently provides consulting services in the human resources and administration fields.

Joan White

Joan White was appointed to the Board in July of 2001 as a member representing employers. Ms. White is the Director of Labour Relations for the University of Saskatchewan.

Maurice Werezak

Maurice Werezak was appointed to the Board in July of 2001 as a member representing employees. Mr. Werezak is a past Vice-President of the Saskatchewan Federation of Labour and is President of United Food and Commercial Workers, Local 248-P. Mr. Werezak is a labour representative on the Employment Insurance Appeal Committee and is employed at Mitchell's Gourmet Foods.

Marshall Hamilton

Marshall Hamilton was appointed to the Board in July of 2002 as a member representing employers. Mr. Hamilton is the Manager of Human Resources for IMC Potash in Esterhazy. Mr. Hamilton has been working in the human resources field for 23 years in various industries including steel, forestry, government and potash.

Ray Malinowski

Ray Malinowski was appointed to the Board in July of 2002 as a member representing employers. Mr. Malinowski is in the manufacturing industry associated with Leon's Mfg. Company Inc. and Ram Industries Inc. in Yorkton. He is a past President of the Prairie Implement Manufacturers Association and the Saskatchewan Chamber of Commerce.

Michael Wainwright

Michael Wainwright was appointed to the Board in July of 2002 as a member representing employers. Mr. Wainwright is the Director of Employee Relations at ISM Information Systems Management Canada Corporation.

John McCormick

John McCormick was appointed to the Board in July of 2002 as a member representing employees. Mr. McCormick is a Transit Operator with the City of Regina and President of the Amalgamated Transit Union Local 588, as well as Canadian Council Executive Board Member. Mr. McCormick is also a member of the Task Force on Occupational Standards for the Canadian Motor Coach Association.

Ken Ahl

Ken Ahl was appointed to the Board in July of 2004 as a member representing employers. Mr. Ahl worked for 34 years for Comstock Canada Ltd. and retired in 2003 as the manager of their Saskatchewan office. He has also been active in the construction industry with the CLR – Construction Labour Relations Association of Saskatchewan Inc. and CODC – Construction Opportunities Development Council Inc.

II. *The Trade Union Act*

In Canada, legislative jurisdiction over industrial relations has, since a ruling of the Supreme Court of Canada in 1925, fallen largely under provincial jurisdiction. Fortunately, the potential this presented for legal fragmentation was offset by varying combinations of interprovincial management and union structures, common history and common day-to-day economic and political conditions. The result is a remarkable commonality of core principles and procedures in all 11 Canadian jurisdictions.

The main features of Saskatchewan's *Trade Union Act*, like its counterparts in all other Canadian jurisdictions, may be summarized as follows:

- traditional courts are replaced by a specialized, quasi-judicial tribunal with exclusive and binding jurisdiction over the matters assigned to it by *The Trade Union Act*;
- common law of conspiracy and restraint of trade is abolished insofar as it applies to employees who bargain collectively;
- the majority of employees determine for all employees in a group whether they will bargain collectively and, if so, through which union;
- an employer is required to recognize the union chosen by the majority of its employees as their exclusive representative for the purpose of bargaining collectively;
- the employer and the union are required to bargain in good faith with a view to concluding a collective bargaining agreement;
- a number of unfair labour practices are created to protect employees and unions from any attempt by the employer to interfere with their rights;
- strike and lock-out activity is regulated, but not prohibited;
- specific issues, such as union security, technological change, conciliation, voting procedures and religious exclusions are addressed; and
- remedial and enforcement procedures are included in the statute.

In short, the *Act* provides the legal framework for collective bargaining, along with a procedure for adjudicating disputes and enforcing rights and obligations. *The Trade Union Act*, like its counterparts in all other Canadian jurisdictions, does not attempt to prohibit economic conflict between employees and employers, but only to control it. It does not attempt to regulate the outcome of collective bargaining, but merely the process to be followed.

The function of the Labour Relations Board within this statutory framework is to identify the parties which will participate in collective bargaining, and to monitor the procedural aspects of the bargaining process. Under *The Trade Union Act*, the Board is not required to follow all of the formal rules of procedure that have been developed in courts of law.

The Board attempts to conduct its hearings in a way that will make them accessible to representatives of the parties who have no legal training, and which will allow the Board to identify the issues which are genuinely in dispute.

III. *The Construction Industry Labour Relations Act, 1992*

Passed in 1992 and amended in 2000, *The Construction Industry Labour Relations Act, 1992*, S.S. 1992, c. C-29.11, provides for a system of collective bargaining in the building trades between organizations representing groups of contractors and the construction unions. The supervision of this statutory system is conferred on the Board under the legislation.

IV. *The Health Labour Relations Reorganization Act*

Passed in 1996, *The Health Labour Relations Reorganization Act*, S.S. 1996, c. H-0.03, appointed a commissioner to examine the organization of labour relations between health sector employers and employees in the Province. The Dorsey Commission report was submitted, and *The Health Labour Relations Reorganization (Commissioner) Regulations*, R.R.S., c. H-0.03, Reg. 1 came into force, in January, 1997.

The legislation confers upon the Board the power to make orders for the purpose of carrying out the intent of the legislation and respecting any matter arising out of the reorganization of labour relations in the health care sector not addressed in the Regulations.

V. Budget Summary

The total amount expended by the Saskatchewan Labour Relations Board for the fiscal year ending March 31, 2005 was $742,105. The Board has, over time, displayed an ability to manage its resources efficiently. It should be noted, however, that it is unable to control or predict the nature or number of applications put before it, and as a result, the relationship of expenditure to budgetary allocation cannot be guaranteed.

VI. Summary of Board Activity for 2003-2004

Between April 1, 2004, and March 31, 2005, the Labour Relations Board held 12 monthly meetings lasting a total of 136 days. A total of 306 applications were received and a total of 273 were disposed of by the Board during the year. Tables 2 and 3 show these applications by type of application and disposition. The five-year trend is shown by disposition in Tables 3 and 4 and by type in Tables 5 and 6.

During 2004-2005, 62 certification orders covering 1104 employees were issued by the Board and 7 certification orders affecting 162 employees were rescinded.

It is not possible in this report to convey a complete picture of the nature and range of applications brought before the Board during the year. It may be helpful, however, to mention briefly some of the issues that illustrate the many types of questions that arise from applications before the Board.

In *Canadian Union of Public Employees, Local 3078 v. Board of Education of the Wadena School Division No. 46*, [2004] Sask. L.R.B.R. 199, LRB File No. 188-03, the Board held that it is an unfair labour practice for an employer to bargain an amnesty clause to impasse, thereby prolonging a strike. The Board also held that the Employer had failed to bargain in good faith when, following an Order of the Board to reinstate certain employees, the Employer raised the issue of implementation of the Board's Order in bargaining and pressed it to impasse. The Board ordered the Employer to pay lost wages to employees and reimburse the Union for strike pay from the date the application was filed to the time when the Employer resumed bargaining in good faith.

During the reporting period, the Board considered many applications relating to disputes between employees and certified bargaining agents alleging violation of the duty of fair representation in grievance and rights arbitration provided for in s. 25.1 of *The Trade Union Act* or the denial of the principles of natural justice provided for in s. 36.1 of the *Act*. In *Sabo v. Regina Police Association, Inc.*, [2004] Sask. L.R.B.R. 177, LRB File No. 015-03, in dismissing the application, the Board held that the applicant bore the onus to demonstrate that justice could be done despite

a delay of nearly seven years in filing the application. In *Freeman v. Saskatchewan Government and General Employees' Union*, [2004] Sask. L.R.B.R. 171, LRB File No. 195-03, and Lundgren v. United Food and Commercial Workers, Local 248-P, [2004] Sask. L.R.B.R. 165, LRB File No. 141-03, the Board held that the certified union generally is not required to seek out potential grievors or to attempt to convince them to request that a grievance be filed. In *Lalonde v. United Brotherhood of Carpenters and Joiners of America, Local 1985* [2004] Sask. L.R.B.R. 244, the Board provided guidelines as to the content of the principles of natural justice referred to in s. 36.1 of the Act regarding a union's duty in discipline and membership matters pursuant to its constitution.

In *Saskatchewan Joint Board, Retail Wholesale and Department Store Union v. Canadian Linen and Uniform Service Co.*, [2004] Sask. L.R.B.R. 69, LRB File Nos. 062-02 and 090-02, the Board considered an application for amendment in the nature of the consolidation of two bargaining units composed of employees of the same employer represented by the same union – a matter that the Board had not reviewed since the early 1990's. In articulating the principles and considerations relevant to such an application, the Board reviewed several cases from other Canadian jurisdictions and settled on the general approach originally taken by the Board in *Saskatchewan Joint Board, Retail, Wholesale and Department store Union v. O.K. Economy Stores (A Division of Westfair Foods Ltd.)*, [1990] Fall Sask. Labour Rep. 64, LRB File No. 264-89. The decision of the Board was quashed on judicial review (2005 SKQB 264, per Kovach, J.) on the basis that the Board's decision relied upon legal authorities not cited by either of the parties. In contrast, on the latter point, in *Hill v. Saskatchewan Government and General Employees Union and Saskatchewan Labour Relations Board*, [2004] Sask. L.R.B.R. c-57, the applicant sought judicial review of the Board's decision on the alleged basis that in failing to refer to any legal authorities in brief reasons for decision the Board had failed to provide adequate reasons for its decision. In dismissing the application, the Court of Queen's Bench held that absent any statutory requirement to give reasons for its decision, the extent to which the Board must review the evidence before it and record its analysis to support its conclusions will depend on the circumstances of the individual case.

In *United Food and Commercial Workers, Local 1400 v. Sobeys Capital Inc., o/a Price Albert Garden Market IGA*, [2004] Sask. L.R.B.R. 224, LRB File No. 209-04, the Board confirmed its general policy to use municipal boundaries to define the geographic scope of bargaining units as opposed to granting site-specific certification orders.

During the reporting period, the Board rendered a number of decisions regarding significant procedural matters. The most important of these concerned a Board Order on an application by a party regarding the scope of a subpoena *duces tecum* issued by the Board to a corporate respondent, and the jurisdiction of the Board to require that the witness proferred to answer to the subpoena produce documents referred to in the course of her testimony in cross-examination at the hearing. The issues arose on an application by United Food and Commercial Workers, Local 1400 in LRB File No. 069-04 to be certified as the bargaining agent for a unit of employees of Wal-Mart Canada Corp. at its store in Weyburn, Saskatchewan. Joined for hearing at the same time were unfair labour practice applications filed by several of the affected employees alleging that the Union had engaged in improper organizing tactics (LRB File Nos. 122-04 to 130-04), to which the Union replied that the applications were made as a result of improper employer influence contrary to s. 9 of *The Trade Union Act*. Wal-Mart sought and obtained an order of prohibition pending an application to the Court of Queen's Bench for judicial review of the Board's written Order regarding the scope of the subpoena and its oral Order to the witness for production of documents. The Court of Queen's Bench granted the order for prohibition and the Board's Orders were subsequently quashed on judicial review, with the learned Chambers' Judge stating that the Board had abused its authority and referring to his perception of bias on the part of the Board although none of the parties had made such an allegation. However, the Saskatchewan Court of Appeal unanimously allowed an appeal of that decision by the Union, set aside the judgment of the Court of Queen's Bench and reinstated the Board's Orders.

Specifically, the Court of Appeal ruled that the Board acted within its jurisdiction with respect to both Orders and stressed the distinction between the disclosure of documents, the production of documents, the discovery of documents and the admissibility of documents into evidence. The Court held that the Board was not required to make an inquiry as to the relevance of the documents prior to issuing the subpoena *duces tecum*. The party upon whom the subpoena is served is protected from producing irrelevant or privileged documents through the ability to make a request that the Board quash the subpoena or make a ruling on the relevance or privilege of the documents in question. The witness must comply with the subpoena and produce the documents for inspection by the Board in order to rule on their admissibility. Further, the Court of Appeal specifically found that the Board did not abuse its authority or process, and stated that the Chambers' Judge ought not to have made gratuitous comments imputing a lack of impartiality on the part of the Board. The judgment of the Court of Appeal, cited as 2004 SKCA 154, is reported at [2004] Sask. L.R.B.R. c-66 and 257 Sask. R. 12. The Supreme Court of Canada dismissed an application by Wal-Mart for leave to appeal that decision (see, [2005] SCCA No. 13).

In *United Food and Commercial Workers, Local 1400 v. Wal-Mart Canada Corp., et al.*, [2004] Sask. L.R.B.R. 56, LRB File No. 055-04, the Board confirmed that an employee desiring to participate in a certification hearing to bring allegations before the Board of improper organizing tactics must file a reply to the application or file a separate unfair labour practice application with sufficient particularity to allow the union to determine the case it must meet. In that decision, the Board also confirmed its policy that photocopied employee signatures filed with the statement of employment are not generally acceptable except in circumstances where it is unreasonable or unduly onerous to obtain an original signature, and ordered that Wal-Mart file a new statement of employment conforming to the policy.

In *United Food and Commercial Workers, Local 1400 v. Wal-Mart Canada Corp., et al.*, [2004] Sask. L.R.B.R. 366, LRB File No. 172-04, the Board determined that while the Regulations under *The Trade Union Act* (Sask. Reg. 163/72, ss. 6, 18 and 22) do not require that a respondent file a reply to an unfair labour practice application, one must do so within the time limited by the regulations, (or an extension thereof granted by the Board or the Executive Officer of the Board) to be ensured of receiving notice of the hearing of the application and to be allowed to participate fully in the hearing. The consequences of a failure to do so are within the discretion of the Board panel at the hearing, but generally participation will be limited to making representations only as to the jurisdiction of the Board to hear the matter. Similarly, in *International Union of Operating Engineers Hoisting & Portable & Stationary, Local 870 v. Prairie Crane*, (March 3, 2005), LRB File No. 268-04, the Board held that an employer that does not file a reply to a certification application has no standing to participate in the hearing of the application without the leave of the Board.

In conjunction with its publisher, the Saskatchewan Legal Education Society Inc. (SKLESI), the Board continued the publication of its Reasons for Decision and any subsequent court decisions during the reporting year in The Saskatchewan Labour Relations Board Reports (cited as sask. L.R.B.R.). The Board wishes to thank SKLESI, its Executive Director and Staff for their considerable effort and continued cooperation in the publication of the Reports. The Reports are available by subscription through SKLESI, at court house libraries in some judicial centres and at the Law Library at the University of Saskatchewan. Reports of recent Board decisions are available at the Board's website at www.sasklabourrelationsboard.com. The Board's entire reasons for decision are also available on Quicklaw.

VII. Tables

Table 1

Labour Relations Board
Organizational Chart
March 31, 2005

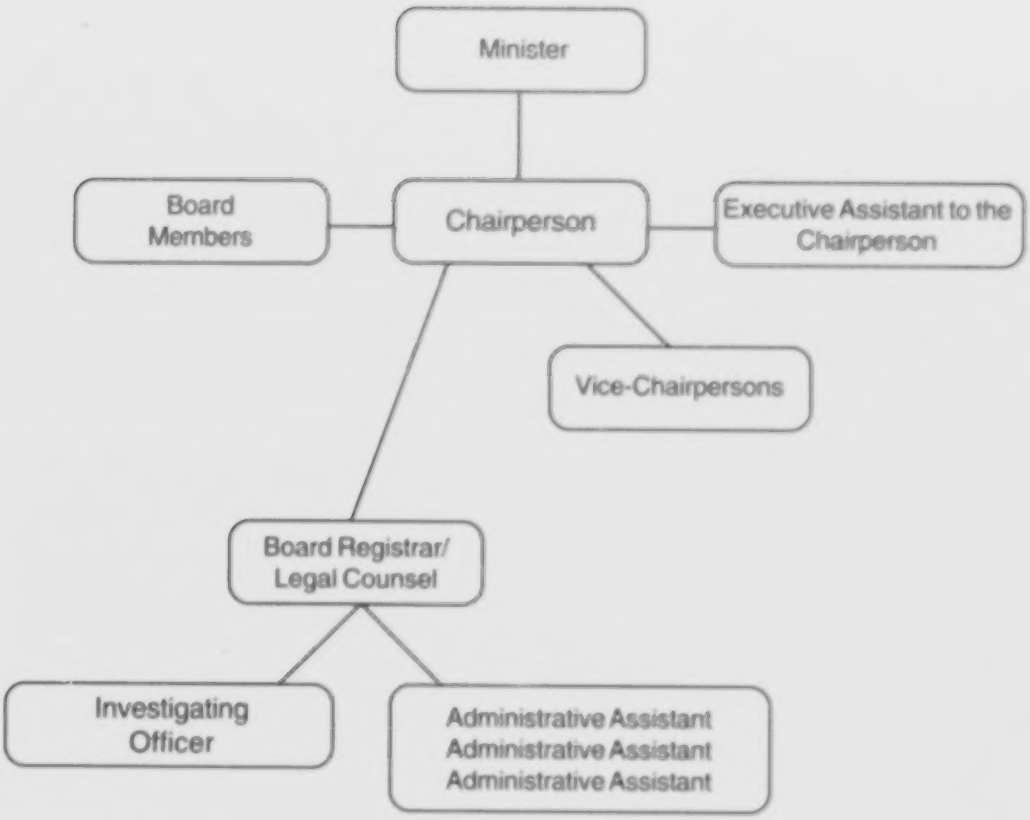

Table 2

Applications under *The Trade Union Act*
by Type of Application and Disposition, 2004-2005

Type of application and disposition	Applications
Total Applications*	273
Granted	110
Dismissed	34
Withdrawn	97
Sine Die	32
Designation of Principal or Contractor	
(Section 2, clause g)	0
Certification	
(Section 5, clauses a, b and c)	69
Granted	62
Dismissed	2
Withdrawn	5
Unfair Labour Practice	
(Section 5, clause d)	58
Granted	6
Dismissed	1
Withdrawn	39
Sine Die	12
Reinstatement	
(Section 5, clause f)	14
Granted	2
Withdrawn	10
Dismissed	1
Sine Die	1
Monetary Loss	
(Section 5, clause g)	18
Granted	2
Dismissed	1
Withdrawn	14
Sine Die	1
Company Dominated	
(Section 5, clause h)	0

Type of application and disposition	Applications
Provisional Employee Determination	
(Section 5.2)	1
Sine Die	1
Interim Applications	
(Section 5.3)	11
Granted	5
Dismissed	4
Withdrawn	2
Raid	1
Granted	1
Amendment or Rescission	
(Section 5, clauses i, j and k)	A8, R15
Granted	A7, R7
Dismissed	A0, R5
Withdrawn	A0, R2
Sine Die	A1, R1
Exclusion on Religious Grounds	
(Section 5, clause l)	3
Granted	1
Withdrawn	2
Employee Determination	
(Section 5, clause m)	3
Dismissed	1
Withdrawn	2
Strike/Ratification Votes	
(Section 11, clause 8)	2
Withdrawn	2
Reconsideration	
(Section 13)	1
Dismissed	1
Reference of Dispute	
(Section 24)	0

Table 2 - Continued

Applications under *The Trade Union Act*
by Type of Application and Disposition, 2004-2005

Type of application and disposition	Applications
Duty of Fair Representation	
(Section 25.1)	41
Dismissed	18
Withdrawn	12
Sine die	11
First Collective Bargaining Agreements	
(Section 26.5)	8
Granted	5
Sine Die	1
Withdrawn	2
Membership in Trade Union	
(Section 36.1)	3
Dismissed	1
Withdrawn	2
Transfer of Obligation	
(Section 37)	8
Granted	4
Withdrawn	2
Sine Die	2
Deemed Sale of Business	
(Section 37.1)	0
Related Employer	
(Section 37.3)	1
Withdrawn	1
Transfer of Bargaining Rights	
(Section 39)	7
Granted	7
Technological Change	
(Section 43)	0
Final Offer Vote	
(Section 45)	0
Health Applications	1
Sine Die	1
Construction Applications	0

*273 applications were disposed of although 306 applications were received.
Source: Saskatchewan Labour Relations Board files.

Table 3

Applications to the Labour Relations Board under *The Trade Union Act*, by Disposition, 2000-2001 to 2004-2005

	2000-2001	2001-2002	2002-2003	2003-2004	2004-2005
Total Applications	340	336*	265*	277*	273*
Granted	163	107	109	123	105
Dismissed	19	58	30	28	30
Withdrawn	113	122	79	87	95
Sine Die	32	35	27	29	31
To Conciliation	0	0	0	0	0
Joint Amend—Dorsey	4	1	0	0	0
Cert.-Dorsey	0	0	12	0	0
Other Dorsey	0	1	0	2	1
Interim**	9	12	8	8	11

Under *The Trade Union Act*, the Board may determine the outcome of any dispute referred to it by either party.
The decision of the Board is final and binding.

*This figure does not include construction applications.
**The Disposition of Interim Applications is shown in Table 2.

Source: Saskatchewan Labour Relations Board files.

Table 4

Applications to the Labour Relations Board under *The Construction Industry Labour Relations Act, 1992*, by Disposition, 2000-2001 to 2004-2005

Year	Total Applications	Granted	Dismissed	Withdrawn	Determined	Sine Die
2000-01	5	4	0	0	0	1
2001-02	3	1	0	1	0	1
2002-03	0	0	0	0	0	0
2003-04	2	0	0	0	0	2
2004-05	0	0	0	0	0	0

Source: Saskatchewan Labour Relations Board files.

Table 5

Applications under *The Trade Union Act* by Type of Application, 2000-2001 to 2004-2005

Type of Application	2000-2001	2001-2002	2002-2003	2003-2004	2004-2005
Total Applications*	**335****	**336****	**265****	**277****	**273****
Designation of Principal or Contractor (Section 2, clause g)	0	18	0	0	0
Certification (Section 5, clauses a, b and c)	68	64	70	86	69
Unfair Labour Practices (Section 5, clause d)	105	82	65	58	58
Reinstatement (Section 5, clause f)	24	18	14	17	14
Monetary loss (Section 5, clause g)	26	19	16	16	18
Company dominated (Section 5, clause h)	0	1	1	0	0
Amendment or Rescission (Section 5, clauses i, j and k)	A17/R17	A18/R17	A20/R14	A18/R12	A8/R15
Exclusion on religious grounds (Section 5, clause l)	3	1	1	1	3
Employee determination (Section 5, clause m)	2	7	3	2	3
Provisional determination (Section 5.2)	6	6	3	0	1
Interim Application (Section 5.3)	9	12	8	8	11
Strike/Ratification Votes (Section 11(8))	1	2	1	0	2
Reconsideration (Section 13)	1	1	2	6	1
Reference of Dispute (Section 24)	2	1	2	0	0
Duty of Fair Representation (Section 25.1)	16	30	11	33	41

Table 5 - Continued

Applications under *The Trade Union Act* by Type of Application, 2000-2001 to 2004-2005

Type of Application	2000-2001	2001-2002	2002-2003	2003-2004	2004-2005
First Collective BargainingAgreements (Section 26.5)	6	8	6	7	8
Raid	6	1	2	2	1
Membership in Trade Union (Section 36.1)	0	9	0	3	3
Deemed Sale of Business (Section 37.1)	0	2	0	0	0
Transfer of Obligation (Section 37)	20	16	8	4	8
Related Employer (Section 37.3)	1	1	1	1	1
Transfer of Bargaining Rights (Section 39)	0	0	1	1	7
Technological Change (Section 43)	1	0	3	0	0
Final Offer Vote (Section 45)	0	0	1	0	0
Health Applications	4	2	12	2	1

*These figures represent the number of applications disposed of during the reporting period, not the number received.
**This figure does not include construction applications.
Source: Saskatchewan Labour Relations Board files.

Table 6

Applications under *The Construction Industry Labour Relations Act, 1992* by Type of Application, 1999-00 to 2004-2005

Type of Application	2000-2001	2001-2002	2002-2003	2003-2004	2004-2005
Total Applications	5	3	0	0	0
Section 5	1	0	0	0	0
Section 10.2	4	1	0	0	0
Section 11	0	0	0	0	0
Section 16	0	0	0	0	0
Section 18	0	2	0	2	0
Section 25	0	0	0	0	0
Section 29	0	0	0	0	0
Section 30	0	0	0	0	0
Section 37	0	0	0	0	0

Source: Saskatchewan Labour Relations Board files.

Where to Obtain Additional Information

For more information or to obtain additional copies of this report, contact us at:

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1600 - 1920 Broad Street
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Phone: (306) 787-2406
Fax: (306) 787-2664

Visit our website at:
www.sasklabourrelationsboard.com